**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE V.GIRI**

**FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929**

**WP(C).No. 31113 of 2007(D)**
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**PETITIONER:**
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**CINDERALLA DHARTHALIS,**
**SUPERINTENDENT, MUNICIPAL OFFICE, CHAVAKKAD.**

**BY ADV. SRI.ABRAHAM VAKKANAL,**
**SRI.PAUL ABRAHAM VAKKANA,L**
**SRI.ARUL KUMAR.P,**
**SRI.BIJIMON C.CHERIAN,**
**SRI.LOWEL CHERIAN.**

**RESPONDENT:**
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**THE DIRECTOR, URBAN AFFAIRS DEPARTMENT,**
**DIRECTORATE OF URBAN AFFAIRS,**
**THIRUVANANTHAPURAM,**
**PIN - 695 001.**

**BY GOVT. PLEADER SRI. BEJOY CHANDRAN.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/10/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**THOTTATHIL B. RADHAKRISHNAN, J.**

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**W.P.(C)No.31113 Of 2006**

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**Dated this the 13th day of February, 2007.**

**J U D G M E N T**

Heard.

2. The petitioner is awarded the work of house keeping, hulage and handling of gas cylinders and miscellaneous works at Indane Bottling Plant of the 2nd respondent-IOC under the immediate control of the 1st respondent. On the basis of such contract, subject to its terms, the petitioner is entitled to the right to carry on such activity. The nature of work requires the employees of the petitioner to be identified to the satisfaction of the respondents. It is also the requirement that the petitioners cannot be compelled to employ any person other than his employees. The 2nd respondent, having regard to the nature of the site of work, is entitled to restrict the entry of persons into such premises. Learned counsel appearing for the petitioner submits that the petitioner needs only 28 persons to work under the petitioner to carry out the contract.

3. In the aforesaid circumstances, the following directions are issued:

1. The petitioner shall within a period of two weeks from today furnish to the respondents the list of his 28 employees with necessary police verification reports to be satisfied regarding the identity and credibility of the petitioner's workmen.

2. On such identity being established, the 1st respondent will issue necessary gate passes for the said persons who are identified as above.

3. Thereafter, respondents 1 and 2 shall restrict the entry of personnel for carrying out the present contract, to those persons who have new gate passess. No others shall be permitted to enter for such work.

4. All other gate passess shall stand cancelled upon issuance of permits as aforesaid.

**THOTTATHIL B. RADHAKRISHNAN,**
**JUDGE.**

sj